

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ISAIAH WILKINS, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	1:22-cv-1272 (LMB/IDD)
)	
LLOYD AUSTIN, III, <u>et al.</u> ,)	
)	
Defendants.)	

ORDER

For the reasons stated in the accompanying Memorandum Opinion, plaintiffs' Motion for Summary Judgment, [Dkt. No. 57], is GRANTED, defendants' Cross-Motion for Summary Judgment, [Dkt. No. 66], is DENIED, and it is hereby

ORDERED that defendants Lloyd Austin, III, in his official capacity as Secretary of Defense; Christine Wormuth, in her official capacity as Secretary of the Army; and anyone acting on their behalf, at their direction, or under their authority, be and are ENJOINED from denying plaintiffs Isaiah Wilkins, Carol Coe, and Natalie Noe, and any other similarly situated asymptomatic HIV-positive individual with an undetectable viral load, accession into the United States military based on their HIV status; and it is further

ORDERED that defendants Lloyd Austin, III, in his official capacity as Secretary of Defense; Christine Wormuth, in her official capacity as Secretary of the Army; and anyone acting on their behalf, at their direction, or under their authority, be and are ENJOINED from enforcing the HIV-specific provisions of their policies and regulations barring asymptomatic HIV-positive individuals with undetectable viral loads from accession, i.e., enlistment,

appointment, or induction, into the United States military, including Department of Defense Instructions 6485.01 and 6130.03 and Army Regulation 600-110; and it is further ORDERED that the decision to remove plaintiff Isaiah Wilkins from his earned position at the United States Military Academy Preparatory School be reevaluated by defendant Christine Wormuth, in her official capacity as Secretary of the Army, in a manner consistent with the injunctive relief awarded to plaintiffs in this Order and without regard to plaintiff Wilkins' age.

The Clerk is directed to enter judgment in favor of plaintiffs and against defendants pursuant to Fed. R. Civ. P. 58; to forward copies of this Order and accompanying Memorandum Opinion to counsel of record; and to close this civil action.

Entered this 20th day of August, 2024.

Alexandria, Virginia

/s/ 
Leonie M. Brinkema
United States District Judge